

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATHANIEL JAMAR HUDSON,

Plaintiff,

v.

Case No. 1:07-CV-256

LISA ENGLISH, et al.,

HON. GORDON J. QUIST

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has before it Plaintiff's objections to the report and recommendation dated April 24, 2007, in which Magistrate Judge Greeley recommended that Plaintiff's complaint be dismissed pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b), and 42 U.S.C. § 1997e(c) for failure to state a claim. In particular, the magistrate judge concluded that Plaintiff fails to state a claim for violation of his due process rights under the Fourteenth Amendment or for violation of his Eighth Amendment rights. With regard to Plaintiff's due process claim, the magistrate judge concluded that Plaintiff failed to allege that his fourteen-day loss of privileges constituted an "atypical and significant" hardship beyond the normal incidents of prison life or that he lost good-time credit as the result of his minor misconduct conviction. Regarding Plaintiff's Eighth Amendment claim, the magistrate judge concluded that such claim fails because Plaintiff does not allege that he was denied basic human needs as a result of the loss of privileges. After conducting a *de novo* review of the report and recommendation, the Court concludes that the report and recommendation should be adopted by the Court.

In his objections, Plaintiff engages in a substantial discussion of *Sandin v. Conner*, 515 U.S. 472 (1995), but he fails to provide any persuasive reason why the magistrate judge erred in

concluding that Plaintiff failed to state a claim for a violation of his Fourteenth Amendment due process or Eighth Amendment rights. The Court has reviewed Plaintiff's objections and is not persuaded that the magistrate judge's report and recommendation should be rejected. Therefore,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation issued April 24, 2007 (docket no. 4) is **APPROVED AND ADOPTED** as the Opinion of this Court.

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED** pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b), and 42 U.S.C. § 1997e(c) for failure to state a claim. This Court finds no good-faith basis for an appeal of this matter within 28 U.S.C. § 1915(a)(3).

This dismissal counts as a strike for purposes of 28 U.S.C. § 1915(g).

This case is **concluded**.

Dated: May 17, 2007

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE